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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,534	07/29/2003	Riad Ghabra	LC 0136 PUS	1533
36014	7590	10/19/2005	EXAMINER	
JOHN A. ARTZ ARTZ & ARTZ, P.C. 28333 TELEGRAPH ROAD, SUITE 250 SOUTHFIELD, MI 48034			RUTLAND WALLIS, MICHAEL	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/604,534

Applicant(s)

GHABRA ET AL.

Examiner

Michael Rutland-Wallis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/29/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claim 1 is objected to because of the following informalities: line 3 the word "isaid" as this is not a word for the purpose of examination on the merits is interpreted by the examiner of record as intending to be "said". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kokubu et al. (U.S. Pat. No. 5,745,026).

With respect to claim 1 Kokubu teaches an active keyed locking system (Fig. 1) for a vehicle comprising: a keyed actuated device (Fig 1 item (1 and/or 15); a position sensor (column 5 lines 25-43 Kokubu teaches the microcomputer monitors the position of the ignition switch based on position signal from item 18) proximate to said keyed actuated device and generating a position signal indicative of position of said keyed actuated device; and a controller (Fig. 1 item 17) electrically coupled to said position sensor and enabling (column 5 line 33-35 enabling item 13) at least one vehicle component in response to said position signal.

With respect to claim 2 Kokubu teaches the keyed actuated device is a lock assembly (Fig. 1 item 15 see Fig. 4 for greater detail).

With respect to claim 3 Kokubu teaches the keyed actuated device is a key (Fig. 1).

With respect to claims 4 and 5 Kokubu teaches the key comprises a signal generator generating a transmission signal (Fig. 2 item 2 see column 3 lines 1-7) where the transmission on the signal alters the surrounding field.

With respect to claim 6 Kokubu teaches the key comprises a magnetic device (Fig. 1 item 8).

With respect to claim 7 Kokubu teaches the key comprises: a coil (Fig. 1 item 8); and a transponder (Fig. 2 further see column 3 line 66- column 4 line 40) coupled to said coil and generating a transmission signal.

With respect to claim 8 Kokubu teaches the key generates an authorization signal (column 4 lines 11-17), said controller enabling at least one vehicle component (Fig. 1 item 13) in response to said authorization signal.

With respect to claim 9 Kokubu teaches the position sensor is selected from at least one of a series of magnets, a coil, a potentiometer, an encoder, an optical sensor, an infrared sensor, a hall effect sensor, a rotary variable differential transformer, a rotary variable inductance transducer, an angular position sensor, or a revolver (Fig. 4 item 34).

With respect to claim 10 Kokubu teaches the position sensor is coupled within a base station (Fig. 4 shows the position indicator to be coupled within the steering column and further coupled to the cam shaft see column 6 lines 1-25).

With respect to claim 11 Kokubu teaches the controller enables a vehicle component selected from at least one of a vehicle accessory, an ignition, a door lock, and a vehicle system (Fig. 1 item 31) in response to said position signal.

With respect to claim 12 Kokubu teaches the system as in claim 1 further comprising a recognition device (Fig. 1 item 21) recognizing a key and generating a recognition signal wherein said controller enables the active keyed locking system in response to said recognition signal (column 3 line 66- column 4 line 40).

With respect to claim 13 Kokubu teaches the keyed actuated device is a lock assembly (Fig. 1 item 15 see Fig. 4 for greater detail), said lock assembly comprising a key antenna (Fig. 1 item 16 and 2).

With respect to claim 14 Kokubu teaches an ignition enabling system (Fig. 1) for a vehicle comprising: a key (Fig. 1 item 1) having a transponder (Fig. 2 further see column 3 line 66- column 4 line 40); a lock assembly (Fig. 1 item 15 see Fig. 4 for greater detail); a position sensor (column 5 lines 25-43 Kokubu teaches the microcomputer monitors the position of the ignition switch based on position signal from item 18) proximate to said lock assembly and generating a position signal indicative of a position of the key; and a controller (Fig. 1 item 17) electrically coupled to said position sensor and enabling (column 5 line 33-35 enabling item 13) at least one vehicle component in response to said position signal.

With respect to claim 15 Kokubu teaches a method of enabling (column 5 line 33-35 enabling item 13) at least one vehicle component through use of an active keyed locking system (Fig. 1) comprising: actuating a keyed actuated device (Fig 1 item (1 and/or 15); determining position of said keyed actuated device (column 5 lines 25-43 Kokubu teaches the microcomputer monitors the position of the ignition switch based on position signal from item 18) and generating a position signal; and enabling (column 5 line 33-35 enabling item 13) the at least one vehicle component in response to said position signal.

With respect to claim 16 Kokubu teaches a method as in claim 15 further comprising: recognizing a key and generating a recognition signal (Fig. 1 item 21); and enabling an active keyed locking system in response to said recognition signal (column 3 line 66- column 4 line 40).

With respect to claim 17 Kokubu teaches activating a base station (Fig. 4 shows the position indicator to be coupled within the steering column and further coupled to the cam shaft see column 6 lines 1-25) in response to said key recognition.

With respect to claim 18 Kokubu teaches generating a first authorization signal; generating a second authorization signal in response to said first authorization signal; verifying said second authorization signal (column 3 line 66- column 4 line 40); and generating said position signal in response to said verification (column 5 lines 25-43).

With respect to claim 19 Kokubu teaches determining position of said keyed actuated device comprises: generating at least one base signal (code ΔB column 4 line 17-26); altering (code ΔC column 4 line 17-26) said at least one base signal via

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actuation of said keyed actuated device; and generating (code ΔD column 4 line 17-26) said position signal in response to said alteration of said at least one base signal.

With respect to claim 20 Kokubu teaches at least one base signal is modulated (Fig 2 item 5) using a modulation technique selected from at least one of amplitude modulation (column 4 lines 27-37), frequency modulation, and phase modulation.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Takanohashi (U.S. Pat. No. 5,965,955), Mizuno et al. (U.S. Pat. No. 5,774,043), Yamamoto et al. (U.S. Pat. No. 6,400,254), Hayashi et al. (U.S. Pub. No. 2004/0046453) and Komuro et al. (U.S. Pat. No. 4,926,332) teach similar vehicle systems where a position sensor is configured to detect the position of the lock and/or key assembly in order to prevent theft of the vehicle.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Rutland-Wallis whose telephone number is 571-272-5921. The examiner can normally be reached on Monday-Thursday 7:30AM-6:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MRW

A handwritten signature in black ink, appearing to read 'A. Vortman', with a long horizontal flourish extending to the right.

**ANATOLY VORTMAN
PRIMARY EXAMINER**